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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/775,551	02/10/2004	Neil Rasmussen	A2000-700631	6684
37462 7590 06/12/2008 LOWRIE, LANDO & ANASTASI, LLP ONE MAIN STREET, SUITE 1100 CAMBRIDGE, MA 02142				
EXAMINER				
ESTRADA, ANGEL R				
ART UNIT		PAPER NUMBER		
2831				
NOTIFICATION DATE		DELIVERY MODE		
06/12/2008		ELECTRONIC		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

docketing@ll-a.com
gengelso@ll-a.com

Office Action Summary

Application No.

10/775,551

Applicant(s)

RASMUSSEN ET AL.

Examiner

Angel R. Estrada

Art Unit

2831

Period for Reply -- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 February 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-5, 8, 9, 12-16 and 19 is/are rejected.
- 7) ☒ Claim(s) 6, 7, 10, 11, 17 and 18 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/55/06)
Paper No(s)/Mail Date See Continuation Sheet
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :5/13/04, 6/21/04, 1/6/05, 11/10/05 and 2/19/08.

DETAILED ACTION

Election/Restrictions

1. Applicant's election without traverse of Group I (claims 1-19) in the reply filed on February 19, 2008 is acknowledged.

Information Disclosure Statement

2. The information disclosure statements filed on May 13, 2004; June 21, 2004; January 6, 2005; November 10 2005 and February 19, 2008 have been considered by the Examiner.

Drawings

3. Figure 1 should be designated by a legend such as --Prior Art-- because only that which is old is illustrated. See MPEP § 608.02(g). Corrected drawings in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. The replacement sheet(s) should be labeled "Replacement Sheet" in the page header (as per 37 CFR 1.84(c)) so as not to obstruct any portion of the drawing figures. If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Rejections - 35 USC § 102

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1-5, 8, 9, 12-16 and 19 are rejected under 35 U.S.C. 102(e) as being anticipated by Winch et al (US 6,310,783; hereinafter Winch).

Regarding claim 1, Winch discloses an uninterruptible power supply system (see figure 1) for use with a plurality of devices, each of the plurality of devices having a power input to receive power (see figure 1), the uninterruptible power supply system (see figure 1) comprising: an equipment rack (20); an input to receive input power; a DC power source (22) mounted in the equipment rack (20) that provides DC power; an output that provides output power derived from at least one of the input power and the DC power; (22); power distribution circuitry (24), mounted within the equipment rack (20), having a plurality of distribution devices each having an input coupled to the output to receive the output power (see figure 1); and a plurality of output power cables (not shown) each having a first end coupled to one of the plurality of distribution devices to receive output power and a second end that mates with the power input of one of the plurality of devices (see figure 1).

Regarding claim 2, Winch discloses the uninterruptible power supply system (see figure 1), wherein the power distribution circuitry (24) includes a power distribution panel (see figure 1), and the plurality of distribution devices includes circuit breakers mounted to the power distribution panel (see figure 1).

Regarding claim 3, Winch discloses the uninterruptible power supply system (see figure 1), wherein the DC power source (22) includes a plurality of battery modules, removably mounted in the equipment rack (see figure 1).

Regarding claim 4, Winch discloses the uninterruptible power supply system (see figure 1), wherein each of the plurality of devices (see figure 1)) are designed to be installed in a facility in a predetermined arrangement at a predetermined distance from the uninterruptible power supply (see figure 1), wherein each of the plurality of cables has a length based on the predetermined distance between the uninterruptible power supply and one of the plurality of devices (see figure 1); and wherein the second end of each of the power cables has a connector to mate with a connector of one of the plurality of devices (see figure 1).

Regarding claim 5, Winch discloses the uninterruptible power supply system (see figure 1), further comprising an input cable having a first end coupled to the input (see figure 1) and a second end having a mating connector to mate with a power receptacle in a facility (see figure 1).

Regarding claim 8, Winch discloses the uninterruptible power supply system (see figure 1), wherein each of the plurality of devices (see figure 1) are designed to be installed in a facility in a predetermined arrangement at a

predetermined distance from the uninterruptible power supply (see figure 1), and wherein each of the plurality of cables has a length based on the predetermined distance between the uninterruptible power supply and one of the plurality of devices (see figure 1).

Regarding claim 9, Winch discloses the uninterruptible power supply system (see figure 1), further comprising an input cable (not shown) having a first end coupled to the input and a second end having a mating connector (not shown) to mate with a power receptacle in a facility, and wherein the input of the uninterruptible power supply is configured to receive three phase input power (see figure 1).

Regarding claim 12, Winch discloses the uninterruptible power supply system (see figure 1) wherein the input of the uninterruptible power supply can be configured to receive three phase input power (see figure 1).

Regarding claim 13, Winch discloses the uninterruptible power supply system (see figure 1), wherein at least one of the output power cables (see figure 1) can be configured to provide three phase power and at least one of the output power cables is configured to provide single phase power (see figure 1).

Regarding claim 14, Winch discloses the uninterruptible power supply system (see figure 1) further comprising a bypass device (see figure 1), coupled between the input and the output of the uninterruptible power supply system, having a bypass mode in which the bypass device couples the input directly to the output (see figure 1).

Regarding claim 15, Winch discloses the uninterruptible power supply system (see figure 1) for use with a plurality of devices, each of the plurality of devices having a power input to receive power, the uninterruptible power supply system comprising: an equipment rack (20); an input to receive input power; a DC power source (22) mounted in the equipment rack (20) that provides DC power; an output that provides output power derived from at least one of the input power and the DC power; and means (24), mounted in the equipment rack (20), for distributing the output power to the plurality of devices, the means (24) for distributing including a plurality of output cables, each of the output cables having a connector that mates with a connector of at least one of the plurality of devices (see figure 1).

Regarding claim 16, Winch discloses the uninterruptible power supply system (see figure 1) wherein the input of the uninterruptible power supply system can be configured to receive three phase power, and at least one of the plurality of output power cables is configured to provide three phase power (see figure 1).

Regarding claim 19, Winch discloses the uninterruptible power supply system (see figure 1), further comprising bypass means for coupling the input of the uninterruptible power supply directly to the output of the uninterruptible power supply (see figure 1).

Allowable Subject Matter

5. Claims 6, 7, 10, 11, 17 and 18 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

The following is an examiner's statement of reasons for allowance: The primary reason for the indication of the allowability of claims 6, 7, 10, 11, 17 and 18 are:

Regarding claims 6 and 7, the prior art does not teach or fairly suggest in combination with the other claimed limitation the uninterruptible power supply system wherein the equipment rack has a top panel having at least one opening formed therein, and each of the output power cables are arranged to pass through the at least one opening in the top panel.

Regarding claims 10 and 11, the prior art does not teach or fairly suggest in combination with the other claimed limitation the uninterruptible power supply wherein the equipment rack has a top panel having at least one opening formed therein, and each of the output power cables are arranged to pass through the at least one opening in the top panel.

Regarding claims 17 and 18, the prior art does not teach or fairly suggest in combination with the other claimed limitation the uninterruptible power supply wherein the equipment rack has a top panel having at least one opening formed therein, and each of the output power cables are arranged to pass through the at least one opening.

These limitations are found in claims 6, 7, 10, 11, 17 and 18, and are neither disclosed nor taught by the prior art of record, alone or in combination.

Conclusion

6. Any inquiry concerning this communication should be directed to Angel R. Estrada at telephone number (571) 272-1973. The Examiner can normally be reached on Monday-Friday (8:30 -5:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego Gutierrez can be reached on (571) 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) OR 571-272-1000.

/Angel R. Estrada/

Primary Examiner, Art Unit 2831